

MONDAY, NOVEMBER 15, 1999
SEVENTH LEGISLATIVE DAY
SECOND EXTRAORDINARY SESSION

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Davis (Washington).

Representative Davis (Washington) led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 24: Rep(s). Garrett and Davidson as prime sponsor(s).

MESSAGE FROM THE GOVERNOR
November 15, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 7, with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE SENATE
November 15, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 9; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 9 -- Memorials, Death - Virginia Weldon. by *Herron.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for November 16, 1999:

House Resolution No. 4 -- Memorials, Death - Edward Tye Harber. by *Goins.

House Resolution No. 5 -- Memorials, Personal Achievement - Bryan Lee James, Eagle Scout. by *Pleasant.

House Joint Resolution No. 28 -- Memorials, Death - Frank Ralph Gallimore, Puryear Mayor and former Henry County Superintendent of Schools. by *Ridgeway.

House Joint Resolution No. 29 -- Memorials, Recognition - Curley Putman. by *Bone.

House Joint Resolution No. 32 -- Memorials, Professional Achievement - Citizens Bank & Trust Company of Grainger County, 80th Anniversary. by *Roach.

House Joint Resolution No. 33 -- Memorials, Sports - Beech High School cheerleading squad, TSSAA Small Co-Ed Division state champions. by *McDonald, *Black.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for November 16, 1999:

Senate Joint Resolution No. 9 -- Memorials, Death - Virginia Weldon. by *Herron.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 37** -- Taxes, Tobacco, Tobacco Products - Enacts "Extraordinary Good and Fair and Common Sense Approach to Health Care and Funding Thereof Act." Amends TCA Title 67, Chapter 4, Part 10. by *Jackson, *Buck, *Jones, S., *Briley, *Arriola.

***House Bill No. 38** -- Taxes, Alcoholic Beverages - Increases tax on gallon of wine from \$1.10 to \$5.37 a gallon; increases tax on spirits from \$4.00 to \$19.52 a gallon; increases tax on beer or other like beverage from \$3.90 to \$15.90 a barrel. Amends TCA Title 57, by *Jackson, *Buck.

***House Bill No. 39** -- Taxes, Alcoholic Beverages - Increases tax on gallon of wine from \$1.10 to \$7.25 a gallon; increases tax on spirits from \$4.00 to \$26.35 a gallon; increases tax on beer or other like beverage from \$3.90 to \$21.47 a barrel. Amends TCA Title 57, Chapter 3 and Title 57, Chapter 5. by *Jackson, *Buck.

***House Bill No. 40** -- Taxes, Tobacco, Tobacco Products - Increases tax on cigarettes from 6 1/2 mills to 12 1/2 mills on each cigarette; increases tax on all other tobacco products from 6 percent to 11.5 percent of the wholesale cost price. Amends TCA Title 67, Chapter 4, Part 10. by *Jackson, *Buck, *Jones, S., *Briley.

***House Bill No. 41** -- Taxes, Tobacco, Tobacco Products - Increases tax on cigarettes from 6 1/2 mills to 13 mills on each cigarette. Amends TCA Title 67, Chapter 4, Part 10. by *Jackson, *Buck, *Jones, S., *Briley.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 32 -- Taxes, Excise - House Finance, Ways and Means Committee

House Bill No. 33 -- Taxes, Excise - House Finance, Ways and Means Committee

House Bill No. 34 -- Taxes, Franchise - House Finance, Ways and Means Committee

House Bill No. 35 -- Taxes, Privilege – House Finance, Ways and Means Committee

***House Bill No. 36** -- Education, Higher – House Education Committee

CONSENT CALENDAR

House Resolution No. 3 -- Memorials, Death - James L. Dalton, Sr. by *Roach.

House Joint Resolution No. 24 -- Memorials, Sports - White House High School girls' soccer team. by *McDonald, *Black.

House Joint Resolution No. 26 -- Memorials, Public Service - Bruce Daniel Carter, 1999 Huntingdon Outstanding Citizen Award. by *Maddox, *Phelan.

House Joint Resolution No. 27 -- Memorials, Personal Occasion - W.C. Handy, 126th birthday celebration. by *DeBerry L, *Cooper B, *Bowers, *Turner (Shelby), *DeBerry J, *Chumney.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 98
 Noes 0

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Speaker Pro Tempore DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 31 out of order, which motion prevailed.

House Joint Resolution No. 31 -- Memorials, Death - Jason Alan Carson. by *DeBerry L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Speaker Pro Tempore DeBerry with the request that all members of the Shelby County delegation voting aye be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Speaker Pro Tempore DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 30 out of order, which motion prevailed.

House Joint Resolution No. 30 -- Memorials, Recognition - Dr. James H., Sr. and Birdie Brown family. by *DeBerry L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Speaker Pro Tempore DeBerry, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes 98

Noes 0

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

ENGROSSED BILLS
November 15, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 24, 26 and 27.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS
November 15, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 30 and 31.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Tuesday, November 16, 1999.